

REGULAR MEETING

COMMISSION CHAMBER

December 21 , 2004

Augusta Richmond County Commission convened at 2:10 p.m., Tuesday, December 21, 2004, the Honorable Bob Young, Mayor, presiding.

PRESENT: Hons. Hankerson, Smith, Colclough, Grantham, Mays, Beard, Cheek, Williams, Sims and Boyles, members of Augusta Richmond County Commission.

Also Present: Steve Shepard, Attorney; Fred Russell, Interim Administrator; Lena Bonner, Clerk of Commission.

The Invocation was given by Rev. Richard Sanders.

The Pledge of Allegiance was recited.

ADDENDUM AGENDA:

DELETIONS FROM THE AGENDA:

Items 23 and 57 (Requested by the petitioners)

23. Motion to approve a request by Bo Yun Chang for a retail package Beer & Wine license to be used in connection with Time Saver Convenience Store #3 located at 601 Bransford Road. District 3. Super District 10. (Approved by Public Services Committee December 13, 2004)

Mr. Mayor Pro Tem: Since I think there's going to be discussion from at least two commissioners on Item 57, we will acknowledge the fact that the petitioner did send in a request to be withdrawn, but that first has to be confirmed by this Commission. So the Chair will entertain a motion that we delete Item 23 and that 57 continue on on the agenda and we'll get to it on the regular agenda.

Mr. Boyles: So move.

Mr. Williams: Second.

Motion carries 10-0.

INTRODUCTION:

Honorable Willie H. Mays, III, Chairman DBE/EEO Subcommittee

- **Ms. Yvonne Gentry, Disadvantaged Business Enterprise (DBE) Coordinator.
City of Augusta**

EMPLOYEE OF THE MONTH AWARD (NOVEMBER)

- **Mr. Mike Fallen – Augusta Public Works & Engineering Department
Trees and Landscaping Division**

PRESENTATIONS:

A. Presentation of proceeds from the Annual Firefighters/Deputies Basketball Tournament.

Perry Riley, Robby Burns and Paul Evans

\$1,000 to the Upside of Downs- The Up Side of Downs provides support, monthly meetings with special speakers, special events, and a fellowship of families that have children with Down Syndrome.

\$1,000 to the Sickie Cell Foundation- The mission of the Sickie Cell Foundation of Georgia, Inc. is dedicated to providing education, screening and counseling programs for Sickie Cell and other abnormal hemoglobin.

B. Richmond County Forestry

Annual Report for July 2003-June 2004.

Ms. Cathy Black

RECOGNITION:

Global Community Development Initiative

The Community Advocate Award

The City of Augusta- For its support of the CSRA Youth No Sex, Safe Sex, HIV/AIDS Prevention Awareness Campaign 2004

CONSENT AGENDA ITEMS:

PLANNING:

1. **Z-04-103** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by J. P. Jones, on behalf of Truevine Missionary Baptist Church requesting a Special Exception to bring an existing church, including day care activities, into zoning conformance and to expand church parking per Section 26-1 (a) of the Comprehensive Zoning Ordinance for Augusta-Richmond County affecting property located at 1780 Martin Luther King Jr. Boulevard and containing 1.04 acres. (Tax Map 59-3 Parcels 192, 193, 261, 262, and 264) DISTRICT 2
2. **Z-04-104** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by John Seaton, on behalf of Hale Street Baptist Church, requesting a Special Exception to expand an existing church, including day care activities, per Section 26-1 (a) of the Comprehensive Zoning Ordinance for Augusta-Richmond County affecting property located at 352 Hale Street and containing .34 acres. (Tax Map 60-1 Parcel 39 & 40) DISTRICT 1
3. **Z-04-107** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Ming F. Lin, on behalf of William H. Hambrick, Sr. et al, requesting a change of zoning from Zone A (Agriculture) and Zone B-2 (General Business) to Zone B-2 (General Business) affecting property located at 3524, 3526, and 3534 Wrightsboro Road and containing 3.74 acres. (Tax Map 40 Parcel 97 & 98 and Tax Map 53 Parcels 51 thru 55) DISTRICT 3

4. **Z-04-109** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve with the condition that 1) only one building may be constructed on the property, not to exceed 4,000 square feet and 2) that a 50 foot undisturbed natural buffer, that conforms to the Augusta-Richmond County Tree Ordinance, be maintained along the Clark Road and the west property line; a petition by Lisa McTier, on behalf of Ben McTier, requesting a change of zoning from Zone A (Agriculture) to Zone LI (Light Industry) affecting property located the north right-of-way line of Clark Road, 410 feet, more or less, west of the northwest corner of Mike Padgett Highway and Clark Road and containing 5.0 acres. (Tax Map 302 Parcel 18) DISTRICT 8
5. **Z-04-111** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Richard Ret, on behalf of Sarah B. Donar, requesting a change of zoning from Zone B-1 (Neighborhood Business) to Zone B-2 (General Business) affecting property located at 2820 Milledgeville Road and containing .33 acres. (Tax Map 70-4 Parcel 60) DISTRICT 5
6. **Z-04-114** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Lamar McCoy, on behalf of Vanessa Rogers, requesting a change of zoning from Zone A (Agriculture) and Zone B-2 (General Business) to Zone B-2 (General Business) affecting property located on the east right-of-way line of Mike Padgett Highway, 792 feet, more or less, south of the southeast corner of the intersection of Bennock Mill Road and Mike Padgett Highway and containing approximately 2.8 acres and part of 4474 Mike Padgett Highway. (Part of Tax Map 234 Parcel 38) DISTRICT 8
7. **Z-04-115** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve with the following conditions 1) that the development be limited to 250 homes and 2) that all wetlands be permanently protected by restrictive covenants or conservation easements; a petition by Southern Building and Development Corp., on behalf of Edward Pascarella, requesting a change of zoning from Zone R-1 (One-family Residential) to Zone R-1B (One-family Residential) affecting property located on the northwest right-of-way line of McDade Road (a.k.a. McDade Farm Road), 202 feet northeast of Union Grove Circle and containing approximately 98 acres. (Tax Map 182 Parcel 3.2) DISTRICT 8
8. **Z-04-116** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Lakemont Neighborhood Association requesting a change of zoning from Zone R-1A (One-family Residential) to Zone R-1 (One-Family Residential) affecting property known as Lakemont Subdivision bounded by Lakemont Drive on the east, Redwood Drive on the west, and Woodbine Road on the north and containing multiple parcels. (A complete list of street addresses and a subdivision map available at the planning commission office) DISTRICT 7
9. **ZA-R-167** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition to amend the Comprehensive Zoning Ordinance for Augusta-Richmond County by amending Section 21-1 Permitted Uses in a Neighborhood Business Zone relating to construction trailers.
10. **ZA-R-168** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition to amend the Comprehensive Zoning Ordinance for Augusta-Richmond County by amending Section 3-12, Special Building Setbacks.

11. **FINAL PLAT – GRANITE HILL, SECTION ONE – S-670** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Southern Partners Inc., on behalf of Homesites Ltd., requesting final plat approval for Granite Hill, Section One. This residential subdivision is located on Crawfordville Drive, adjacent to Asbury Hills Subdivision and contains 37 lots.
12. **FINAL PLAT – BARNETT CROSSING, SECTION 4 – S-613-IV-REV** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Southern Partners Inc., on behalf of Home Sites Ltd, requesting final plat approval for Barnett Crossing, Section 4. This is a residential subdivision is located on Barnett Crossing, adjacent to Barnett Crossing, Section 2.
13. **FINAL PLAT – THE RESERVES, PHASE 1 – S-659-I** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by George L Godman & Associates, on behalf of G. B. Sharma, requesting final plat approval for The Reserves, Phase I (aka The Reserves at Stevens Creek). This residential subdivision is located on Stevens Creek Road, west of Claussen Road and contains 59 lots)
14. **FINAL PLAT – THE VILLAGE AT GOSHEN, PHASE I – S-682-I** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by EMC Engineering Services, Inc., on behalf of Spirit Creek Development Corp., LLC, requesting final plat approval for The Village at Goshen, Phase I. The residential subdivision is located on Old Savannah Road at Goshen Road and contains 111 lots.
15. **FINAL PLAT – CAMBRIDGE, SECTION 8 – S-675** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Southern Partners, Inc., on behalf of Nordahl & Co. Inc., requesting final plat approval on Cambridge Subdivision Section 8. This residential subdivision is located on Windsor Spring Road and Tobacco Road and contains 16 lots.
16. **FINAL PLAT – BRIDGETON TOWNHOMES, PHASE II – S-673-II** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by John M. Bailey & Associates, PC, on behalf of ATC Development Corp., requesting final plat approval for Bridgeton Townhomes, Phase II. This residential development is located on Bridgeton Road, adjacent to Bridgeton Townhomes, Phase I and contains 18 lots.
17. **FINAL PLAT – FEDEX DRIVE ROADWAY PLAN – S-700** – A request for concurrence with the Augusta-Richmond County Planning Commission to approve a petition by Southern Partners, Inc., on behalf of Augusta Baseline Development, LLC, requesting final plat approval for Fed Ex Drive Roadway Plan.

PUBLIC SERVICES:

18. Motion to approve a request from the LPA Group for Work Authorization #17 – Proposal for Architectural and Civil Construction Administration of the New Terminal Project. (Approved by Public Services Committee December 13, 2004)
19. Motion to approve a gas reimbursement at \$.345 per mile or applicable reimbursement rate in lieu of \$2700 per year auto allowance and \$.08 per mile. This would become effective January 1, 2005 and apply to the inspectors in the Building

Division, License & Inspection Department. (Approved by Public Services Committee December 13, 2004)

20. Motion to approve a request by Karen L. Walsh for a Therapeutic Massage License to be used in connection with Jon Ric Salon located at 229 Fury Ferry Rd., Suite 101. District 7. Super District 10. (Approved by Public Services Committee December 13, 2004)
21. Motion to approve a request by Dennis Abrams for an extension of time (March 2005) to purchase the Liquor, Beer & Wine license to be used in connection with Tribeca Lounge located at 968 Broad Street. There will be dance. District 1. Super District 9. (Approved by Public Services Committee December 13, 2004)
22. Motion to approve a request by Harinderjit Singh for an on premise consumption Liquor, Beer & Wine license to be used in connection with Stevens Creek Hospitality, Inc. located at 1075 Stevens Creek Road. There will be dance. There will be Sunday sales. District 7. Super District 10. (Approved by Public Services Committee December 13, 2004)
23. Deleted from the agenda.
24. Motion to approve a request by Kil Sun Kwon for a retail package Beer & Wine license to be used in connection with Lee's Market located at 839 East Boundary. District 1. Super District 9. (Approved by Public Services Committee December 13, 2004)
25. Motion to approve a request by Anuradh Kumar for a retail package Beer & Wine license to be used in connection with Kateel, Inc. located at 3105 Deans Bridge Road. District 5. Super District 9. (Approved by Public Services Committee December 13, 2004)
26. Motion to approve a request by Brent Lefevre for an on premise consumption Beer & Wine license to be used in connection with Volume Services, Inc. d/b/a Centerplate located at 78 Milledge Road. There will be Sunday sales. District 1. Super District 9. (Approved by Public Services Committee December 13, 2004)
27. Motion to approve a request by Marcos E. Thomas for an on premise consumption Liquor, Beer & Wine license to be used in connection with Chasers Bar & Grill located at 724 Broad Street. There will be dance. District 1. Super District 9. (Approved by Public Services Committee December 13, 2004)
28. Motion to approve a request by Adolf Hermann for an on premise consumption Beer & Wine license to be used in connection with Augsburg Haus, LLC located at 1944 Walton Way. There will be Sunday sales. District 1. Super District 9. (Approved by Public Services Committee December 13, 2004)
29. Motion to approve increases in fees and charges for services provided by Recreation and Parks as outlined in att. 1. (Approved by Public Services Committee December 13, 2004)

ADMINISTRATIVE SERVICES:

30. Motion to approve the Disability Retirement of Mr. Nicky Jewell under the 1977 Pension Plan. (Approved by Administrative Services Committee December 13, 2004)
31. Deleted from the consent agenda.

FINANCE:

32. Motion to approve property insurance coverage for 2005 offered through Affiliated FM Insurance Company for a premium of \$202,369 plus engineering fee of \$5,700 (one time charge) on a \$50,000 deductible policy. (Approved by Finance Committee December 13, 2004)
33. Motion to approve the acquisition of One (1) Ford Expedition for the Augusta Regional Airport Fire Department for \$27,387.00 from Bobby Jones Ford of Augusta, Georgia. (lowest bid package for Bid 04-115). (Approved by Finance Committee December 13, 2004)
34. Deleted from the consent agenda.
35. Motion to approve the acquisition of One (1) Portable Organic Screener for the Public Works Department – Solid Waste Division from Erin Recycling Solutions of Portland, Maine for \$197,130.00 (lowest bid offer on Bid 04-145). (Approved by Finance Committee December 13, 2004)
36. Motion to approve the acquisition of One (1) Portable Waste Recycler for the Public Works Department – Solid Waste Division from Pioneer Machinery Company of Gainesville, Georgia for \$409,827.00 (lowest bid on Bid 04-144). (Approved by Finance Committee December 13, 2004)
37. Motion to approve a request from the Augusta Metro Chamber of Commerce for funding in the amount of \$5,000 for the Augusta Day activities at the General Assembly. (Approved by Finance Committee December 13, 2004)
38. Motion to approve a request from the Mayor's Office to reorder 1000 Mayor's Office pins from The Pin Center in the total amount of \$2,140.00 and Commission and charge to the Promotional Account. (Approved by Finance Committee December 13, 2004)
39. Motion to approve a request from the Mayor's Office to order 100 frames for certificates from Augusta Art & Frame Shop in the total amount of \$1,300.00 and charge to the Promotional Account. (Approved by Finance Committee December 13, 2004)
40. Motion to approve funding for November 23, 2004 General Election Run-off. (Approved by Finance Committee December 13, 2004)
41. Motion to approve a budget amendment to increase the Landfill's vehicle cost allocation by \$130,000 from contingency funds. (Approved by Finance Committee December 13, 2004)
42. Motion to approve additional funding for November 2, 2004 General Election. (Approved by Finance Committee December 13, 2004)
43. Motion to deny a request from Tabernacle Baptist Church for city sponsorship of a scholarship to assist members of Tabernacle who are pursuing an undergraduate degree at a college or university. (Approved by Finance Committee December 13, 2004)

ENGINEERING SERVICES:

44. Motion to authorize condemnation of a portion of Tax Map 131; Parcel 372.2 which is owned by WEC 98H-23 LLC for a temporary easement and permanent easement on Project 90111-NAB Sanitary Sewer Extension. (Approved by Engineering Services Committee December 13, 2004)

45. Motion to approve a professional services contract with Graves Engineering Services, Inc., an Augusta, GA firm, to complete a geotechnical exploration of the Spirit Creek Collection System Pump Station and Force Main route at a proposed price of \$13,950. (Approved by Engineering Services Committee December 13, 2004)
46. Motion to approve funding in the amount of \$24,400.00 for the purchase of wetland mitigation credits to offset wetland areas disturbed during the Horsepen Branch Sanitary Sewer Project. (Approved by Engineering Services Committee December 13, 2004)
47. Motion to approve a change order to the design contract for the Horsepen II Sewer Project in the amount of \$17,594.00. (Approved by Engineering Services Committee December 13, 2004)
48. Motion to authorize the closure of a portion of Smith Cemetery Road and extension of Simkins Lane to accommodate the ingress and egress of private properties and cemetery adjacent to the N. Max Hicks Tobacco Road Surface Water Treatment Plant. (Approved by Engineering Services Committee December 13, 2004)
49. Deleted from the consent agenda.
50. Deleted from the consent agenda.
51. Deleted from the consent agenda.
52. Deleted from the consent agenda.
53. Motion to approve Capital Project Budget (CPB #323-04-200823808) in the amount of \$518,453 with 60,000 for engineering and \$458,453 in contingency to be used for future dirt road construction on Paving the Various Roads Phase VIII Project. Also approve a Consultant Services Agreement with W. R. Toole Engineering, Inc. in the amount of \$59,303.00 to provide surveying and design services on Hauchman Hill Road, Whisnant Road and Youngblood Drive. Funding will be from the One Percent Sales Tax Phase III Paving Dirt Roads Account. (Approved by Engineering Services Committee December 13, 2004)
54. Deleted from the consent agenda.
55. Motion to authorize delegation of \$85,000 in 2004 under runs in the Engineering Division's Highway and Streets Budget (101-04-1110) to fund professional services for engineering support in the Public Works and Engineering Department. Also approve a Consultant Service Agreement with EMC Engineering Services, Inc. to provide engineering support to the Public Works and Engineering Department in the amount of \$85,000 subject to receipt of executed documents. (Approved by Engineering Services Committee December 13, 2004)

PETITIONS AND COMMUNICATIONS:

56. Motion to approve the minutes of the regular meeting of the Commission held December 7, 2004.
59. Motion to accept 2004 Assistance to Firefighters Grant in the amount of \$393,970.00 from the Emergency Preparedness & Response Directorate and approve the 30 percent matching funds totaling \$118,191.00.
60. Motion to approve and sign a two (2) year contract extension with Motorola for radio coverage. The contract extension will begin on January 6, 2005 and end on January

6, 2007 at the same rate that is currently in effect.

(No objections to adding Items 59 and 60 to the consent agenda)

Mr. Cheek: Motion to approve.

Mr. Williams: Second.

**Mr. Colclough and Mr. Smith vote No on Sunday sales portion.
Motion carries 10-0. [Items 22, 26, 28]**

**Ms. Sims votes No.
Motion carries 9-1. [Items 38-39]**

Motion carries 10-0. [Items 1-21, 24-25, 27, 29-30, 32-33, 35-37, 40-48, 53, 55-56, 59, 60]

31. Motion to approve a resolution supporting (the issuance of tax exempt bonds) for the renovations of the Maxwell House Apartments. (Approved by Administrative Services Committee December 13, 2004)

Mr. Hankerson: I'd like to make a motion to approve the resolution supporting this bond and include in the motion that it be signed by the Mayor or the Mayor Pro Tem.

Mr. Colclough: Second.

Mr. Cheek: I would ask that only those who have truly physical and other needs not associated with any substance abuse or criminal behavior be allowed to occupy the residence at the Maxwell House. If the maker of the motion would accept as an amendment that the 20%, that a limit be placed so that no residents be allowed in the subsidized portion that have criminal records or substance abuse histories as a stipulation to us granting this bond.

Mr. Shepard: I would ask that the motion be restated with the language recommended by the tax counsel which I'll file with the Clerk today, that it also include the Cheek amendment and that it include the authority for either the Mayor or Mayor Pro Tem to sign the resolution so that there will be no question about its validity.

Mr. Mayor Pro Tem: Is that acceptable to the maker of the motion?

Mr. Hankerson: The legal authority is accepted as to form

Mr. Mayor Pro Tem: I think Mr. Gallagher's summation takes in what Andy had requested. The only thing that it did was go a little further that that would not be applicable under law and that it would be of a discriminatory nature and the attorney would have the right to so strike.

Mr. Shepard: You could approve it in the form submitted by tax counsel and any problem of its conflict with applicable law be dealt with, that the two Cheek amendments would be stricken if they are in conflict. The third thing would be that this Commission can designate the Mayor Pro Tem to sign it.

Mr. Hankerson: I will accept the attorney's and Mr. Cheek's amendments.

**Mr. Boyles, Ms. Sims and Mr. Grantham vote No.
Motion carries 7-3.**

DELEGATION:

Moderate Policy Action Council

Mr. Charlie Hannah

RE: Ramifications of At-Large Voting in Richmond County

65A. Discuss change from the 6 vote rule. (Requested by Commissioner Andy Cheek)

Mr. Cheek: I'm going to make a motion that we under home rule change the six vote rule to a majority of those present with the requirement of a seven vote quorum.

Mr. Grantham: Second.

Mr. Shepard: I would suggest that you approve a resolution from this body if you want to go to this system for the legislature to approve.

Mr. Cheek: Then I would amend that to a resolution of the aforementioned things to the Legislative Delegation.

Roll Call Vote

Ms. Beard	No
Mr. Boyles	Yes
Mr. Cheek	Yes
Mr. Colclough	No
Mr. Grantham	Yes
Mr. Hankerson	No
Mr. Mays	No
Ms. Sims	Yes
Mr. Smith	Yes
Mr. Williams	Present

Motion fails 5-4-1.

65B. Discuss veto power for the Mayor. (Requested by Commissioner Andy Cheek)

Mr. Cheek: I make a motion that we send a resolution to the Legislative Delegation granting veto power to the Mayor with a seven vote Commission override authority.

Mr. Grantham: Second.

Roll Call Vote

Ms. Beard	No
Mr. Boyles	Yes
Mr. Cheek	Yes
Mr. Colclough	No
Mr. Grantham	Yes
Mr. Hankerson	No
Mr. Mays	No
Ms. Sims	Yes
Mr. Smith	Yes
Mr. Williams	Present

Motion fails 5-4-1.

65C. Discuss changing the approval limit for our administrator. (Requested by Commissioner Andy Cheek)

Mr. Cheek: I would request that this be submitted to Administrative Services for review at the next committee meeting and I'll make that as a motion.

Ms. Sims: Second.

Motion carries 10-0.

65. Discuss the appointment of the City Administrator. (Requested by Commissioner Andy Cheek)

It was the consensus of the Commission that this be considered in the legal meeting.

PLANNING:

57. Z-04-106 – A request for concurrence with the Augusta-Richmond County Planning Commission to deny a petition by Dr. Gordon Brown, on behalf of Bruce Hitt, requesting a Special Exception to establish a Group Home per Section 26-1 (g) of the Comprehensive Zoning Ordinance for Augusta-Richmond County affecting property located at 2046 McDade Road and containing 1.32 acres. (Tax map 196 Parcel 27.01) DISTRICT 8

Mr. Cheek: I move to concur with the decision of the Planning Commission.

Ms. Sims: Second.

(8 objectors noted)

Motion carries 10-0.

[RECESS]

- 34. Motion to approve the acquisition of a 24-month Golf Cart Lease for the Recreation Department – Augusta Municipal Golf Course Division from E-Z-Go Corporation of Augusta, Georgia for \$73,920.00 (lowest bid offer on Bid 04-147). (Approved by Finance Committee December 13, 2004)**

Mr. Boyles: I move to accept.

Ms. Sims: Second.

Motion carries 10-0.

- 49. Motion to approve Amendment No. 8 (Year 2005 Agreement Modifications) to agreement with OMI for a 2005 budget cost of \$6,220,812.10. (Funded by Account No. 506043310-5211110) (Approved by Engineering Services Committee December 13, 2004)**

Mr. Williams: I'm going to make a motion that we go ahead and approve it.

Ms. Sims: Second.

Motion carries 10-0.

- 50. Motion to approve the Landfill to change its operating hours to 6:00 a.m. to 5:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday with the Landfill being closed on Sundays. (Approved by Engineering Services Committee December 13, 2004)**

Mr. Williams: I so move.

Mr. Cheek: Second.

Motion carries 10-0.

- 51. Motion to approve the 2005 Holiday schedule to close the Deans Bridge Road Municipal Landfill on Saturday, January 1st in recognition of New Years, Monday, July 4th in recognition of the Fourth of July, and Thursday, November 24th in recognition of Thanksgiving. (Approved by Engineering Services Committee December 13, 2004)**

Mr. Hankerson: I so move.

Mr. Williams: Second.

Motion carries 10-0.

52. Motion to approve contract for 2005 with Savannah River Trust for Greenspace Services. (Approved by Engineering Services Committee December 13, 2004)

Mr. Williams: I'll make a motion to approve.

Mr. Colclough: Second.

Motion carries 10-0.

54. Motion to authorize delegation of \$55,000 in 2004 under runs in the Engineering Division's Highway and Streets Budget (101-04-1110 for \$35,000), Traffic Engineering Budget (101-04-1710 for \$10,000), and Street Lights Budget (276-04-1610 for \$10,000) to partially fund a human resources consulting firm (headhunter) upon receipt of proposals and identification of the successful firm in support of hiring an Assistant Director of Engineering, County Engineer and Traffic Engineer. (Approved by Engineering Services Committee December 13, 2004)

Mr. Grantham: I'm going to make a motion that we deny this and we wait until the sub-committee brings back its findings as to what direction the Public Works Department will look at going, discussing that with the Commission.

Ms. Sims: I second.

Mr. Cheek: I'm going to offer a substitute motion that we approve this.

Mr. Williams: I second.

(Vote on substitute motion)

Mr. Boyles, Mr. Grantham and Mr. Hankerson vote No.

Motion carries 7-3.

PUBLIC SAFETY:

61. Consider final report from the 911/Rural Metro/First Responder Subcommittee.

58. Consider the extension of EMS contract term. (Deferred from November 8 Public Safety)

Mr. Colclough: I move that we rebid the contract.

Mr. Williams: Second.

Mr. Shepard: We need to have the motion state that we will serve notice before the end of this year and take the evergreen part out.

Mr. Boyles: The contract goes through 2005 and I recommend that we extend the option for 2006 and during the 2005 and 2006 years we establish an appropriate committee as determined by the chairman of Public Safety in order to incorporate the response times that Commissioner Colclough requests in his December 7 report and report back to Public Safety for an RFP to go over and go out for the year 2007. In addition, I would recommend a management study of the 911 Center to begin immediately to make certain that center is operating at full capability either positively or negatively and I make that in the form of a substitute motion.

Mr. Cheek: Second.

Mr. Hankerson: If you put the statement in there that it would end the evergreen portion just in case something comes up.

Mr. Boyles: If that needs to be part of the motion, I have no problem with accepting that.

(Vote on substitute motion)

Ms. Beard, Mr. Colclough, Mr. Williams and Mr. Cheek vote No.

Mr. Mays not voting.

Motion fails 5-4.

(Vote on original motion)

Mr. Boyles, Ms. Sims and Mr. Grantham vote No.

Mr. Mays not voting.

Motion carries 6-3.

FINANCE:

- 62. Motion to approve the acquisition of Three (3) Compact Pickup Trucks for the Utilities Department – Administration Division for \$17,765.25 each from Bobby Jones Ford of Augusta, Georgia (lowest bid package for Bid 04-120) (No recommendation from Finance Committee December 13, 2004)**

Mr. Williams: I'll make a motion that we deny and find something in the fleet they can use to go on construction with.

Mr. Cheek: I'll second it.

Mr. Smith: I make a substitute motion that we approve it.

Mr. Grantham: Second.

(Vote on substitute motion)

Mr. Williams and Mr. Cheek vote No.

Motion carries 8-2.

PETITIONS AND COMMUNICATIONS:

63. Ratify appointments of the Augusta-Richmond County Legislative Delegation.

Mr. Hankerson: I make a motion that we select Harvey L. Johnson and ratify the other appointments.

Mr. Colclough: I'll second.

Ms. Sims: I'd like to nominate Carol Spurgeon.

Mr. Boyles: Second.

Ms. Sims: I'd like to make a substitute motion to vote on the Board of Elections first, the nominees.

Mr. Boyles: Second.

(Vote on substitute motion)

Roll Call Vote for Ms. Spurgeon

Ms. Beard	No
Mr. Boyles	Yes
Mr. Cheek	Yes
Mr. Colclough	No
Mr. Grantham	Yes
Mr. Hankerson	No
Mr. Mays	No
Ms. Sims	Yes
Mr. Smith	Yes
Mr. Williams	No

Motion ties 5-5.

(Vote on original motion and ratifying appointments)

Ms. Beard	Yes
Mr. Boyles	No
Mr. Cheek	No
Mr. Colclough	Yes
Mr. Grantham	No
Mr. Hankerson	Yes
Mr. Mays	Yes
Ms. Sims	No
Mr. Smith	No

Mr. Williams No

Motion fails 4-6.

Mr. Hankerson: I motion that we select Carol Spurgeon and ratify the rest of the Authority Board of Commission.

Mr. Cheek: Second.

Motion carries 10-0.

OTHER BUSINESS:

64. Consider approval of Ordinance regarding penalties for alcoholic beverage license holders for serving alcoholic beverages to minors. (Requested by Commissioner Bobby Hankerson)

Mr. Hankerson: I'd like to make a motion that we amend the ordinance for the penalties for the first offense will pay a \$500.00 fine and be placed on thirty day probation for the first offense and the \$500.00 will be deposited in our general fund.

Mr. Grantham: Second.

Mr. Cheek: A substitute motion to postpone until the attorney has a chance to further massage this and bring it back in two weeks.

Mr. Williams: Second.

(Vote on substitute motion)

Motion carries 10-0.

66. Discuss the process and procedure of the Water and Sewerage Revenue Bond Series 2004. (Requested by Commissioner Marion Williams)

Mr. Boyles: I make a motion that we accept this as information.

Mr. Grantham: Second.

Mr. Beard: I would like to amend the motion to review the attorney's contract.

Mr. Boyles: I'll accept that.

Mr. Cheek out.

Motion carries 9-0.

67. Approve purchase of tickets for the Augusta Regional Economic Outlook Conference January 7, 2005 at Radisson Riverfront Hotel funded from 2004 budget.

Ms. Beard: I so move.

Mr. Hankerson: Second.

Motion carries 10-0.

ATTORNEY:

- 68. Authorize Augusta Utilities Department to execute Change Order #1 to contract with American Hydro Corporation regarding Goodrich Street Raw Water Pumping Station – Rehabilitation of Turbine Unit #4.**

Mr. Cheek: Move to approve.

Ms. Sims: Second.

Motion carries 10-0.

Mr. Cheek: I make a motion to reconsider Item 58.

Mr. Boyles: Second.

Mr. Cheek: I'll withdraw my motion.

69. LEGAL MEETING

- A. Pending and potential litigation.**
- B. Real Estate.**
- C. Personnel.**

Mr. Colclough: I so move.

Mr. Williams: Second.

Motion carries 10-0.

- 70. Motion to approve authorization for the Mayor to execute affidavit of compliance with the Georgia's Open Meeting Act.**

Mr. Colclough: I so move.

Mr. Cheek: Second.

Mr. Williams, Ms. Beard and Mr. Boyles out.
Motion carries 7-0.

Mr. Shepard: I would ask that the following be added and approved. The first is the settlement of the case of James E. Johnson as recommended by Risk Management in the amount of \$68,000 for all claims and that the payment of said monies, subject to there being no liens on the (inaudible) and that they all be cleared and that there be no recourse against the city (inaudible). Secondly, I'd ask that you add and approve the use of SPLOST IV funding as designated in the SPLOST resolution for the Downtown Development Authority so that the option currently held by Historic Augusta on the property known as the Houghton Elementary School can be exercised in favor of the Downtown Development Authority in a not to exceed amount of \$270,000. That the funding through the DDA be subject to the return at closing of \$70,000 and an extension of the remaining obligation of \$200,000 for a period of two years without interest. And then that those monies be returned to the DDA for their future use, that title to that money would be in the DDA. We further ask to add and approve the use of SPLOST funds to acquire through the use of the same mechanism the funding through the DDA of SPLOST money for the Widows Home in a not to exceed amount of \$220,000 so we can also exercise the option currently held on said property by Historic Augusta and that it be subject to the return of capital at closing of up to \$50,000 which would be equal to the equity (inaudible) in that property, that the remaining \$170,000 be interest free for two years and returned to the DDA. That all these arrangements be approved by the counsel for the DDA who is Mr. Warlick and will draw the necessary documents for the transaction and then I would ask that we have an add and approve of a portion of the Phase I SPLOST program, a portion of the fund balance in a not to exceed amount of \$750,000 be appropriated from that fund balance and that it be used toward the project which has been identified here as an emergency repair to the 84" corrugated iron pipe running across the property of Milton Martin and that would be subject to receipt of those engineering plans that we had authorized previously with Baldwin and Cranston. I would further ask that we add and approve a further reprogramming of a portion of the Phase I SPLOST program (inaudible) shown as part of the fund balance of that program for the purchase of the property of Hugh Simons at Pineview Drive in a not to exceed amount of \$135,000 subject to obtaining of an appraisal on that purchase price.

Mr. Colclough: So move.

Mr. Cheek: Second.

(Vote on last item)

Mr. Mays abstains.

Mr. Williams, Ms. Beard and Mr. Boyles out.

Motion carries 6-1.

(Vote on remaining items)

Mr. Williams, Ms. Beard and Mr. Boyles out.

Motion carries 7-0.

Mr. Shepard: Also we ask that we have the authority to purchase the Library property by exercising the contract that's been negotiated for purchase of that property which I'll file with the Clerk tonight, that appropriate resolutions be drawn and approved by

my office for the purchase of that property and also I'd ask that you add and approve the resolution to approve the dedication of the utilities and the roadway in the project known as FedEx Drive to accept the dedication of those improvements in order to facilitate a closing of that property before the end of the year.

Mr. Cheek: So move.

Mr. Grantham: Second.

**Mr. Williams, Ms. Beard and Mr. Boyles out.
Motion carries 7-0.**

[MEETING ADJOURNED]

**Lena J. Bonner
Clerk of Commission**

nwm